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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,735	08/10/2005	Shin-ichi Tanaka	P27754	2314
52123 7590 11/02/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER BEEGLE, HEATHER L	
			ART UNIT	PAPER NUMBER
			4137	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/531,735

Applicant(s)

TANAKA, SHIN-ICHI

Examiner

Heather Beegle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/29/2005, 6/7/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Status of Application

1. Claims 1-23 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 12, 14, 16, 17, 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Oneda [U.S. Pat. No. 6,611,819].

Regarding Claim 1, An electronic settlement method used in a computer system which electronically settles a payment using electronic money which is information regarding a monetary value recorded in a predetermined recording medium, the recording medium storing a balance of first electronic money, the method comprising: by the computer system, at a predetermined timing of settlement,

- reading the balance of first electronic money from the recording medium; (Col.

15, lines 12-21, Figure 12)

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- acquiring amount of claim; **(Figure 12)**
- depreciating the first electronic money with time, by reducing the balance of the first electronic money at a predetermined rate based on a difference between a predetermined reference date and a settlement date and using the reduced balance as a new balance of the first electronic money, **(Figure 12)**
- reducing an amount equal to at least a part of the amount of claim at the time of the settlement, from the reduced balance of the first electronic money. **(Figure 12)**

Regarding Claim 2, The electronic settlement method according to claim 1, further comprising, when a balance of second electronic money which is not depreciated with time is recorded in the recording medium, in addition to reduction of a part of the amount of a claim from the balance of the first electronic money, reducing the remaining amount of claim from the balance of the second electronic money. **(Col. 24, lines 30-67)**

Regarding Claim 3, The electronic settlement method according to claim 2, wherein an upper limit of a proportion of the first electronic money to a total amount to be paid. **(Col. 24, lines 30-67, Figure 12)**

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Regarding Claim 4, The electronic settlement method according to claim 1, wherein a lower limit of an amount to be paid by the first electronic money is provided. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 5, An electronic settlement method which electronically settles a payment using electronic money which is information regarding a monetary value recorded in a predetermined recording medium, in a computer system, the recording medium recording a balance of first electronic money and a balance of second electronic money, the method

comprising: by the computer system, at a predetermined timing of settlement,

- only when the settlement is done using the first electronic money in combination with the second electronic money, allowing an amount equal to at least a part of the amount of claim to be reduced from the balance of the first electronic money,
 - wherein an upper limit of a proportion of the first electronic money to a total amount to be paid is provided. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 6, The electronic settlement method according to claims 5, wherein a lower limit of an amount to be paid by the first electronic money is provided. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 12, A recording medium carrying electronic money which stores a balance of the electronic money which is information regarding a monetary value and

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capable of being settled electronically, the recording medium used in electronic settlement by a computer, the recording medium comprising:

- information of a balance of first electronic money; **(Col. 24, lines 30-67, Figure 12)**
- information of a balance of second electronic money; **(Col. 24, lines 30-67, Figure 12)**
- information indicative of an upper limit of a proportion of the first electronic money to a total amount to be paid at a timing of settlement done by the computer with a combination of the first and second electronic money. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 14, The recording medium according to claim 12, further comprising a lower limit of an amount to be paid by the first electronic money. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 16, A processing device of electronic money which reads the information recorded in the recording medium according to claim 12, depreciates balances of first electronic money and second electronic money recorded in the recording medium so that the depreciated total becomes equal to an amount of payment, based on information showing an upper limit of a proportion of the first electronic money to a total amount to be paid, and increases electronic money of a recipient of the payment by the amount of payment. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 17, An electronic settlement method used in an electronic money system which electronically settles a payment using electronic money which is information regarding a monetary value recorded in a predetermined recording medium, the method comprising:

- recording a balance of first electronic money in the recording medium; **(Col. 24, lines 30-67, Figure 12)**
- at the time of settlement, allowing the first electronic money to be used for the settlement when an amount of payment is more than a predetermined amount, or prohibiting the first electronic money from being used when the amount of payment is less more than the predetermined amount. **(Col. 24, lines 30-67, Figure 12)**

Regarding Claim 18, The electronic settlement method according to claim 17 further comprising:

- recording a balance of second electronic money in the recording medium or another recording medium; **(Abstract, Col. 24, lines 30-67, Figure 12)**
- settling a payment using the first electronic money and the second electronic money when an amount of payment is more than the predetermined amount, at a timing of settlement. **(Abstract, Col. 24, lines 30-67, Figure 12)**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 8, 11, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Churchill, et al. [PCT No. WO 01/29750].

Regarding Claim 8, A recording medium carrying electronic money which stores a balance of electronic money which is information regarding a monetary value and capable of being settled electronically, the recording medium used in electronic settlement by a computer, the recording medium comprising:

- information of a balance of first electronic money which is depreciated with time by the computer; (**Abstract, Page 31, lines 21-32, Page 32, lines 1-25**)
- a depreciation rate which is used by the computer for depreciating the depreciated electronic money, the depreciation rate being a ratio between balances of the first electronic money before and after depreciating the first electronic money. (**Abstract, Page 31, lines 21-32, Page 32, lines 1-25**)

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Regarding Claim 11, The recording medium according to claim 8, further comprising information of a depreciation date which shows a timing on which the first electronic money is depreciated. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Regarding Claim 15, A processing device of electronic money which reads the information recorded in the recording medium according claim 8, and depreciates a balance of depreciated electronic money recorded in the recording medium at the depreciation rate based on elapsed days from a predetermined date. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7, 13, 19-21, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda [U.S. Pat. No. 6,611,819] as applied to claims 5, 12, 17 and 23 above, and further in view of Churchill, et al. [PCT No. WO 01/29750].

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Regarding Claim 7, Oneda discloses, The electronic settlement method according to claim 5.

Regarding Claim 7, Oneda fails to disclose, wherein an expiration date of the first electronic money is provided.

Regarding Claim 7, Churchill, et al. discloses, wherein an expiration date of the first electronic money is provided. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Churchill, et al. in the device of Oneda, in order to motivate customers to purchase products to avoid losing credit. **(Page 5, lines 25-31 from Churchill, et al.)**

Regarding Claim 13, Oneda discloses, The recording medium according to claim 12.

Regarding Claim 13, Oneda fails to disclose, further comprising information showing an expiration date of the first electronic money.

Regarding Claim 13, Churchill, et al. discloses, further comprising information showing an expiration date of the first electronic money. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Regarding Claim 19, Oneda discloses, The electronic settlement method according to claim 17.

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Regarding Claim 19, Oneda fails to disclose, wherein the first electronic money is depreciated with time.

Regarding Claim 19, Churchill, et al. discloses, wherein the first electronic money is depreciated with time. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Regarding Claim 20, Oneda discloses, The electronic settlement method according to claim 19.

Regarding Claim 20, Oneda fails to disclose, further comprising

- calculating a balance of the first electronic money after being depreciated based on a difference between a predetermined date and a settlement date and depreciation information showing a degree of depreciation of the first electronic money, the depreciation information recorded in the recording medium, and
- substantially replacing the balance of the first electronic money with the calculated balance of the depreciated first electronic money.

Regarding Claim 20, Churchill, et al. discloses, further comprising

- calculating a balance of the first electronic money after being depreciated based on a difference between a predetermined date and a settlement date and depreciation information showing a degree of depreciation of the first electronic money, the depreciation information recorded in the recording medium,
- (Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

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- substantially replacing the balance of the first electronic money with the calculated balance of the depreciated first electronic money. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Regarding Claim 21, Oneda discloses, The electronic settlement method according to claim 17.

Regarding Claim 21, Oneda fails to disclose, wherein an expiration date is set in the first electronic money.

Regarding Claim 21, Churchill, et al. discloses, wherein an expiration date is set in the first electronic money. **(Abstract, Page 31, lines 21-32, Page 32, lines 1-25)**

Regarding Claim 23, Oneda discloses, An electronic settlement method used in a computer system which electronically settles a payment using electronic money which is information regarding a monetary value recorded in a predetermined recording medium, the recording medium storing a balance of the electronic money,

- the method comprising: by the computer system, **(Abstract, Col. 24, lines 30-67, Figure 12)**
- updating the balance of the electronic money recorded in the recording medium with the depreciated balance; **(Abstract, Col. 24, lines 30-67, Figure 12)**
- moving a ownership of monetary value of the depreciated amount to others.
(Abstract, Col. 24, lines 30-67, Figure 12)

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Regarding Claim 23, Oneda fails to disclose,

- depreciating the balance of the electronic money at a predetermined rate when a predetermined period passes from a reference date;

Regarding Claim 23, Churchill, et al. discloses,

- depreciating the balance of the electronic money at a predetermined rate when a predetermined period passes from a reference date; (**Abstract, Page 31, lines 21-32, Page 32, lines 1-25**)

8. Claims 9, 10, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Churchill, et al. [PCT No. WO 01/29750] as applied to claim 8 above, and further in view of Oneda [U.S. Pat. No. 6,611,819].

Regarding Claim 9, Churchill, et al. discloses, The recording medium according to claim 8.

Regarding Claim 9, Churchill, et al. fails to disclose, further comprising:

- information of a balance of second electronic money which is not changed in value with time; and
- an upper limit of a proportion of the first electronic money to a total amount to be paid at the time of settlement

Regarding Claim 9, Oneda discloses, further comprising:

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- information of a balance of second electronic money which is not changed in value with time; **(Figure 12, Col. 24, lines 30-67)**
- an upper limit of a proportion of the first electronic money to a total amount to be paid at the time of settlement **(Figure 12, Col. 24, lines 30-67)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Oneda in the device of Churchill, et al., in order to allow the transfer and settlement processing for two separate groups of electronic money. **(Col. 5, lines 45-65 from Oneda).**

Regarding Claim 10, Churchill, et al. discloses, The recording medium according to claim 8.

Regarding Claim 10, Churchill, et al. fails to disclose, further comprising information of a lower limit of an amount to be paid by the first electronic money.

Regarding Claim 10, Oneda discloses, further comprising information of a lower limit of an amount to be paid by the first electronic money. **(Figure 12, Col. 24, lines 30-67)**

Regarding Claim 22, Churchill, et al. discloses, A processing device of electronic money which reads information recorded in the recording medium according to claim 8 at a timing of settlement.

Regarding Claim 22, Churchill, et al. fails to disclose, allows the first electronic money to be used when an amount of payment is more than a predetermined amount, or prohibits

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the first electronic money from being used for the settlement when the amount of payment is less than the predetermined amount.

Regarding Claim 22, Oneda discloses, allows the first electronic money to be used when an amount of payment is more than a predetermined amount, or prohibits the first electronic money from being used for the settlement when the amount of payment is less than the predetermined amount. **(Figure 12, Col. 24, lines 30-67)**

9. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather Beegle whose telephone number is (571) 270-

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3333. The examiner can normally be reached on Monday Thru Thursday, 7:30 am to 5:00 pm eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Akm Ullah can be reached on (571) 272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HB


AKM ULLAH
SUPERVISORY PATENT EXAMINER